

A

REVIEW

OF THE

STATE

OF THE

ENGLISH NATION

Tuesday, July 16. 1706.

I Percieve 'tis some Surprize to our People here, to find, that all our Successes against *France*, neither in *Flanders*, nor in *Catalogna*, have reduc'd them to a Necessity of laying by the Thought of the Siege of *Turin*.

I have indeed been very free to give my Opinion against the *French*, in not laying aside that Project; till by sparing some of the Forces appointed for it, he had secur'd the Conquest of *Barcelona*, and I am still of Opinion, had 20000 Men been ready to second the *Mareschal De Tbesse*, he had never suffer'd that Disgrace, nor had all our Succours been able to save *Barcelona*, and consequently not the Kingdom of *Spain*.

But when I consider, that the *French* had taken right Measures, and calculated both the Time, as well as the Number of

Troops for that Siege; and that nothing but the immediate Hand of invisible Providence sav'd it, by stopping Monsieur *Tbolouse* and the *French* Fleet by Storms and contrary Winds, so that the Stores and Cannon could not be brought up, I can no more lay the Fault upon Want of Conduct.

But after all, I can find no Room to blame their Politicks in pushing that Siege now; and shall crave leave to say, I think it is the best, if not the only Card they have to play; if the Probabilities of Success will but answer it to their Discretion.

As to my Reasons for it, they are left to every Body's Censure, and are as follow.

1. If a Detachment should have been made for *Spain*, the Time of Action is over there for three Months at least, almost four; and if ever he shall take *Turin*, it shall be before that

that-time, and have Time to act in *Spain* afterwards.

2. If on the News of the Defeat at *Barcelona*, the *French* had made a Detachment from *Italy* for *Spain*—The utmost Expedition could not have prevented, what has already happen'd there ; and to retrieving it, if that be possible, they will be better able to do that after the taking *Turin*, than before.

3. As to diminishing their Troops in the Siege ; They would have lost as many Men in hard Marches, by the Violence of the Heat at this time of the Year, as they can reasonably be thought to do in the Siege of *Turin*.

But now comes a wise Politician, and asks me—What think you, Sir, *Will they take the Town* ? These People are to be answer'd cautiously, lest they insult me, as they did, for not being a Conjuror ; because I did not foresee the Battle of *Ranellies* — But that they may go to the Wager Office with some Certainty, I shall be very positive. 1st. Sir, As soon as ever the *Garrison* surrenders it, they will take it, that may be depended on ; and they may lay what Wager they will on it — 2^{dly}. If I can't tell them, I'll send them to one that shall. Let the Gentlemen go up to *Whiteball*, and enquire about the Horse-Guards, or at *Man's Coffee-House*, for some of the Colonels or Officers of the Army, that are now going on the Descent ; and having found one of them, desire him to bring them to that certain Colonel or Captain, or other Officer, that knows, *where they are a going*, and that the Man can inform them, whether *Turin* shall be taken or no—The Time when, Manner how, &c. to a Minute—Happy *England* ! how are things alter'd here ; how does Secrecie of Council secure Fidelity of Execution, and both together certain Success ? Causes here are as entirely conceal'd, as Events in other Places, and our Management seems as impenetrable as Fate—Not *French* Gold, that has unlock'd the Cabinets of so many Princes, and the Chastity of so many Nations, can pierce the *Arcana* of *English* Measures ; the *French* are now oblig'd to act like other Men, and know things by their Events only ; they have lost their Female

Traytors, that lay in the Bosom of our Monarchs ; and not only betray'd, but directed the Councils of this Nation to Peace or War by the meer Influence, and calculated to the Interest of *France* ; a *French* W—re can now no more close up a Peace by the Charms of her lewd Embraces, and tye the Hands of Armies from the Prosecution of a just War.

Fidelity and Prudence have bewildred all the *French* Southsayers, and they can no more prophesie of other Affairs, nor hardly of their own.

And yet we must not recognize the Ministry—A true *English* Spirit, to pity Criminals, and envy Favourites—Favourites, says one, have always been the Subject of the Peoples Hatred—I grant it, and 'tis very seldom, but there has been reason ; because the Princes have always had something to obtain, some End to aim at to the Damage of the Nation—But when the Prince devotes Her self to the true Interest of Her People, pursues their Interest abstracted from all manner of Deceit—Joins their Prosperity to Her own, and thinks their Liberty her Glory—The Favourites of such a Prince are always the Favourites of the People ; and 'tis just they should be so, because they are the Mediums of the Peoples Felicity.

But to return to *Turin*—If I must speak freely and seriously ; I own, I am in Pain for *Turin*.

I know the Distance of the *German* Succours, their being lately recruited, and their Auxiliars yet later arriv'd—The Country they are to pass, is full of Rivers, Canals, and other watery Traverses ; where the *French* Army, whose Interest it is to stand upon the Defensive, have innumerable Passes and fortify'd Places to dispute ; and if that Ground must be lost by Inches, Inches there will be Hours at *Turin*. And tho' the Garrison of *Turin* are numerous and brave enough—Yet Time and Application, as the Art of besieging Towns is now improv'd, must reduce the strongest Town in the World, that cannot be reliev'd.

All the Hopes therefore, I have conceiv'd, are in the Bravery and Conduct of Prince *Eugene*—Who is known to be peculiar in sur-

surmounting Difficulties to other Men impracticable; if it is to done, he will do it; if he be prevented, I see no room to expect *Turin* should be deliver'd.

I confess, some *Coup d'Etat* may come from some other Part; what Thunderbolts our Forces carry from *England*, where they shall be thrown, and what Convulsions they shall

cast the *French* Monarchy into, I cannot foresee, and am loth to flatter the World with any thing uncertain; but *France* must be push'd very hard, before they abandon the Project of the Ruin of the Duke of *Savoy*, the only Reprisal they can make for the Duke of *Bavaria*, and the Battle of *Ramellies*, of which in our next.

MISCELLANEA.

July 12th. 1706.

SIR,

As the Scope and Power of the murdering Warrant Act is so incontrollably extensive, that no Place, or Authority of Courts, Commissioners, or other Acts of Parliament, no, nor even the late Bankrupt Act (which next to the Habeas Corpus Act, is one of the best, that our Parliament ever made, were it but as compleat as it might have been) is a Protection against the daily vexatious Troubles and Expences, it occasions; when a spiteful Creditor has a Mind to exert his Malice by Vertue of it; and that there seems no likelihood of avoiding these Mischiefs, while this Act is in Force, and Creditors will continue cruel; other than by lively representing such publick Grievances to the World, and observing to 'em all such Matters of Fact, as may be undeniable, and help to induce them to take off such an inhuman Law; or at least moderate the Rigour of it; and as no Man is better able to perform so good a Work, than you self, Give me leave to present you one Example of this kind, which may be, *Inlar omnium. viz.*

One Mr. Dent a Merchant, who having surrendred himself pursuant to the Direction of the Bankrupt Act; and having been twice examin'd, and being in the midst of his third Examination, was in the Face of the Court and Commissioners interrupted, taken, and hurried to Newgate by an Escape Warrant, on Wednesday last, where he still lies and is like to do, at least till next Term; except the Commissioners certifie in his Favour, and that my Lord Keeper and they, justly resent this high Indignity and Affront put upon the Commission, the Authority of Parliament, and the

Injury done to a Person that came in of his own Accord upon the publick Faith, and under the Protection of the Act, and where if he acts otherwise than the Act designs, Death is his Penalty. If this be fair dealing, and an Encouragement for others to come in, I leave any Body to judge; and whether this barbarous unchristian Act, that all this is done by the Force of, ought not to be destroy'd as a publick Nuisance. Your Thoughts on this, and which way the honest Merchant may be reliev'd at present, would highly oblige the publick, and in a most particular Manner,

Sir,

Your most faithful
/ Humble Servant.
H. P.

IF this Story be true—It is very fruitful of Articles, that deserve our Observations, and before I name any thing else. This is a full Demonstration of the Usefulness and Necessity of the late Act of Parliament—Which has so many visible Advantages in it, that I think, 'tis absolutely needless to enlarge upon it—And tho' it is true, that the Act has some Deficiencies in it, among which this is one of the chief, that the Commissioners, who are to examine and recieve the Surrender of the Bankrupt, should not have Power to protect him, when he is before them, from being taken away by Force, and prevented in doing what the Law requires him to do—This has something in it so unreasonable, that I cannot doubt of a due Provision to be made by Parliament for it—For to oblige a Man to

to come to a set Place, and appear there to the Face of his Enemies, and then not protect him from Violence, while he is in an Act of Obedience to the Law, and consequently under its Protection, is to make the Law itself a Traytor to the Liberty of the Subject it was made to preserve.

This is absolutely making the Law a Snare, a Mouse-trap for the miserable, to lay a Plot to murder and destroy the Innocent, and betray a Man into the Hands of his mortal Enemies.

I must own, I think, the Nature of the thing is against them, and I cannot believe, but any of the Judges being apply'd to in such a Case, would supersede the Execution of their own Warrant, while the Man is already in the Custody of the Law—

While the Bankrupt is on his Examination, he is the Commissioners Prisoner, and one Prison is always allow'd to be a Protection to another, but by a *Habeas Corpus* to remove—A Man surrendred to the Commissioners, is a Prisoner to my Lord Keeper; and whether he shall be snatch'd out of his Custody by Warrant from an Inferiour Authority, I humbly leave to his Lordship's Determination; and I am confident, if the Commissioners, whose Authority is thus superseded, and by consequence my Lord Keepers, would represent it to his Lordship, they would have Reparation, and the Prisoner be reliev'd.

But if not—A little Patience will defeat all this Malice, and such a Proceeding will certainly hasten the Discharge of a Man so oppress'd; for my Lord Keeper will never suffer a Man to be crush'd merely by Malice and Revenge. This can be done for nothing but Revenge, a meer Spirit of the Devil resist'd in a cruel Creditor; the Gentleman thus treated, has great Reason not to be discourag'd; for this will but hasten his Discharge, and prompt the Commissioners to dispatch his Examination, and my Lord Keeper in Compassion to him, to do him speedy Justice.

Thy Men of Wrath, Men of Cruelty and Passion always act against themselves; the barbarous Treatment of Debtors in

England has been a Crime so crying, that it rous'd the Justice of the Nation to consider it—This form'd the Act, this continues to make it just, and this will secure its Continuation in Spight of the strongest Attempts to destroy it.

If you would have the Act repeal'd, Gentlemen, shew by the Lenity and fair Treatment of your Fellow-Creatures, when they fall into your Hands, that there is no occasion for it—If like *Dod* the Draper, who made the late ridiculous Will—You will answer your Debtor, when a ruin'd Family sues to him for Compassion, that you would be glad to lose your Debt, on Condition the Debtor might sett in a Prison for it. If (I say) you will act like him, Gentlemen, God send you more Mercy—but be assur'd, if you don't die like him—You will have small Comfort of these things; and after all, remember, the miserable shall be deliver'd in spight of the most scandalous Malice of barbarous Men.

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